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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,013	04/12/2005	**Kwaku Frimpong-Ansah**	AT 020061	2598

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EXAMINER	
SAINT CYR, LEONARD	

ART UNIT	PAPER NUMBER
2626	

MAIL DATE	DELIVERY MODE
11/25/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/531,013	FRIMPONG-ANSAH, KWAKU	
	Examiner	Art Unit	
	LEONARD SAINT CYR	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 September 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *04/12/05* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/09/08 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1 - 27 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues that Boys et al do not teach replaying N-1 words and then automatically performing the backward jump over a return distance corresponding to a length of at least N words (Amendment, pages 15 – 17).

The examiner agrees, but this newly added limitation is now rejected in view of new ground of rejection. Please see claim rejection below.

Drawings

3. The drawings are objected to because the **unlabeled rectangular boxes shown in the drawings should be provided with descriptive text labels**. Corrected drawing

sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1 – 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boys et al (US Patent 5,875,448) in view of Yokota et al., (EP 0597483).

Regarding claims 1 and 8, Boys et al. discloses an arrangement for replaying stored audio data (see col. 3, line 50),

which audio data corresponds to text data from a text composed of words (see col. 4, lines 14-17), the arrangement comprising:

memory means for storing the audio data (see col. 3, lines 48-49),

into which memory means audio data to be stored can be read in a forward sequence (see col. 3, line 67 - col. 4, line 3),

control means for controlling the replaying of stored audio data in a forward mode and in a reverse mode (see col. 3, line 65 - col. 4, line 3),

audio replaying means wherein the control means is set up in such a way that, during a playback of the audio data in the reverse mode, starting from a replay position in the audio data, the control means automatically initiates a backward jump counter to the forward sequence, over a return distance (1A, 2A, 3A,... 6A) corresponding to the length of at least roughly N words, to a target position, and then, starting from the target position, the control means initiates a replay of the audio data in the forward sequence for just one part (1B, 2B, 3B, ... 6B) of the return distance (1A, 2A, 3A,... 6A) ("a function called Return associated with Play moves the pointer immediately back to the position it held in the file at the beginning of the play function. The jog and Play functions are provided for a user to find positions in the file where additions, editing, or other functions are to be performed"col.13, lines 5 – 8, and 30 – 33; col.11, lines 1 - 8).

However, Boys et al do not specifically teach replaying N-1 words and then automatically performing the backward jump.

Yokota et al., teach that hybrid playback is a combination of fast playback operations in cue and review modes. In this example, review playback is performed

program by program, but cue playback is performed within each program. Most specifically, first the aforementioned cue playback is performed from the beginning of the 5th program and after completion of the 5th program, the playback jumps from the last position of the 5th program to the beginning of the 4th program, and the cue playback of the 4th program is performed (performing cue playback in each program and jumping from the last position of that program to the beginning of the next program suggest replaying N-1 words and then automatically performing the backward jump; col.12, lines 3 – 20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use hybrid playback as taught by Yokota et al., in Boys et al., because that would provide an improved disc playback method which is capable of performing fast playback (col.1, lines 41 – 44).

Regarding claims 2 and 9, Boys et al. further disclose that the control means is set up in such a way that, using word- marking data assigned to the words as control data, it initiates a backward jump to the particular target position (see col. 4, line 12, col. 6, lines 41-47).

Regarding claim 3, Boys et al. further disclose that a counting means is assigned to control means in order to count the marking data reached during backward jumping or replaying (see col. 11, lines 1-8).

Regarding claim 4, Boys et al. further disclose that a timing circuit is assigned to control means in order to calculate the duration of the audio replay (see col. 11, lines 41-50).

Regarding claim 5, Boys et al. further disclose that setting means is connected to control means in order to set the speed of the audio replay (see col. 11, lines 41-50).

Regarding claims 6 and 15, Boys et al. further disclose that the control means is further connected to text memory means for storing text data corresponding to the audio data (see col. 7, lines 44-49), which is connected to text display means (see col. 7, lines 26-29), and wherein the control means is set up to initiate, by means of linkage data for the audio data and text data, a synchronous replaying of the audio data and the text data corresponding to it (see col. 12, lines 30-41, lines 52-67).

Regarding claim 7, Boys et al. further disclose that the control means and the text memory means and the memory means for the audio data are connected to voice recognition means, which undertakes an automatic transcription (see col. 16, lines 35-42).

Regarding claim 10, Boys et al. further disclose that replaying in the forward sequence is automatically terminated when the next word-marking data is reached during replaying (see col. 13, lines 1-8).

Regarding claim 11, Boys et al. further disclose that replaying in the forward sequence is automatically terminated after a specified period (see col. 13, lines 1-8).

Regarding claim 12, Boys et al. further disclose that termination of the replay in the forward sequence, a backward jump over a return distance corresponding to the length of at least roughly two words takes place automatically (see col. 13, lines 1-8).

Regarding claim 13, Boys et al. et al. further disclose that the backward jump in the audio data is undertaken at a speed that is higher than the replay speed during replaying in the forward sequence, and without acoustic replaying of the stored audio data ("operates at faster than normal"; paragraph 12, lines 55 – 60).

Regarding claim 14, Boys et al. et al. further disclose that the replaying of the stored audio data in the forward sequence takes place at an adjustable replay speed (see col. 11, lines 41-47).

Regarding claim 16, Boys et al. et al. further disclose that during the visual displaying of multiple words of the text data, the particular visually displayed word for which the corresponding audio data is being replayed is visually highlighted (see col. 4, lines 51-58, where the cursor highlights the word).

Regarding claim 17, Boys et al. et al. further disclose that the text data corresponding to audio data is obtained by means of an automatic voice recognition method, wherein, simultaneously, the word-marking data is generated and stored as linkage data for the text data and audio data that correspond with each other (see col. 7, lines 36-50).

Regarding claim 18, Boys et al. et al. further disclose that a computer program product that can be loaded into a memory of a computer, and which comprises sections of software code in order that, by means of their implementation following loading into the memory, the method as claimed in claim 8 can be implemented with the computer (see col. 16, lines 51-53).

Regarding claim 19, Boys et al. et al. further disclose that a computer program product as claimed in claim 18, characterized in that it is stored on a computer-readable medium (see col. 16, lines 51-53).

Regarding claim 20, Boys et al. et al. further disclose that a computer with a processing unit and an internal memory, which computer is designed to implement the computer program product as claimed in claim 18 (see col. 16 lines 51-53).

As per claims 21, and 22, Boys et al., teach an arrangement for replaying stored audio data comprising:

a memory configured to store the audio data; and a controller configured to playback the audio data in a reverse mode by jumping back substantially N words ("a function called Return associated with Play moves the pointer immediately back to the position it held in the file at the beginning of the play function. The jog and Play functions are provided for a user to find positions in the file where additions, editing, or other functions are to be performed"col.13, lines 5 – 8, and 30 – 33; col.11, lines 1 - 8).

Boys et al., do not specifically teach playing back substantially K words, and then automatically repeating the jumping and playing back, wherein K is less than N; wherein N=2 and K=N-1.

Yokota et al., teach that hybrid playback is a combination of fast playback operations in cue and review modes. In this example, review playback is performed program by program, but cue playback is performed within each program. Most specifically, first the aforementioned cue playback is performed from the beginning of the 5th program and after completion of the 5th program, the playback jumps from the last position of the 5th program to the beginning of the 4th program, and the cue playback of the 4th program is performed (performing cue playback in each program and jumping from the last position of that program to the beginning of the next program suggest replaying N-1 words and then automatically performing the backward jump; col.12, lines 3 – 20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use hybrid playback as taught by Yokota et al., in Boys

et al., because that would provide an improved disc playback method which is capable of performing fast playback (col.1, lines 41 – 44).

As per claims 23, and 24, Yokota et al., further suggest that the controller is configured to skip playback of a number of the words so that only every fourth or fifth of the words is replayed; configured to skip playback of a number of the words so that only every predetermined number of the words is replayed ("skipping 8 sectors which correspond to four of a 2-sector unitary block"; col.10, lines 42 – 48).

As per claim 25, Yokota et al., further disclose playing back is for a predetermined duration after which the automatically repeating the jumping and the playing back are performed ("first the aforementioned cue playback is performed from the beginning of the 5th program and after completion of the 5th program, the playback jumps from the last position of the 5th program to the beginning of the 4th program, and the cue playback of the 4th program is performed"; col.12, lines 3 – 20).

As per claim 26, Yokota et al., further disclose that the jumping back is for a return distance which is one of as estimated mean data duration of the N words and determined from a word-marking data associated with the audio data ("the playback jumps from the last position of the 5th program to the beginning of the 4th program" col.12, lines 3 – 20).

As per claim 27, Yokota et al., further disclose the playing back is terminated in response to reaching one of a word-marking data associated with an end of the Kth word and a predetermined replay time ("cue playback is performed from the beginning of the 5th program and after completion of the 5th program"; col.12, lines 3 – 20).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEONARD SAINT CYR whose telephone number is (571) 272-4247. The examiner can normally be reached on Mon- Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LS
11/21/08

/Richemond Dorvil/
Supervisory Patent Examiner, Art Unit 2626